

REMARKS

Claims 1, 4-6 and 9-31 are pending in this application. By this Amendment, claim 1 has been amended and claims 35 and 36 are added. Support for the amendment to claim 1 and the addition of claims 35 and 36, may be found, for example, at claims 1, 2, 3, 7 and 8 of the originally filed application. Indeed, the March 26, 2007 Office Action concedes that the Amendment filed on February 7, 2007 does not introduce any new matter into the disclosure. Because claims 35 and 36 merely incorporate the subject matter deleted from previous claim 1, no new matter is added by the above amendment. In view of at least the following, reconsideration and allowance are respectfully requested.

I. Claim Rejections under 35 U.S.C. § 103

The Office Action rejects claims 1, 4-6, 11, 12, 16-19, 23 and 27-31 under 35 U.S.C. § 103(a) over U.S. Patent Application Publication No. 2005/0199731 (Empedocles) in view of U.S. Patent Application Publication No. 2001/0003445 (Gauthier); and rejects claims 9-10, 13-15, 20-22 and 24-26 under 35 U.S.C. § 103(a) over Emedocles in view of Gauthier and further in view of U.S. Patent No. 6,863,219 (Jacobsen).^{*} These rejections are respectfully traversed.

The present application claims priority to JP-2003-069892 filed on March 14, 2003, which is earlier than all but one of the provisional applications from which Empedocles claims priority. At least claims 1 and 16 are fully supported by JP 2003-069892. A certified English language translation of JP 2003-069892 is enclosed. Thus, the effective date of invention of the presently claimed application is March 14, 2003.

^{*} Although paragraph 6 on page 8 of the Office Action does not indicate that claims 9 and 10 are rejected, based on the Office Action Summary and the arguments made by the Examiner, claims 9 and 10 are also rejected under §103(a) over Emedocles, Gauthier and Jacobsen.

Only U.S. Provisional Application No. 60/414,323 has a filing date earlier than the effective filing date of the present application.

However, U.S. Provisional Application No. 60/414,323 fails to teach, disclose or suggest at least the formation of an antenna and a conductive layer in the same layer and from the same material. Moreover, U.S. Provisional Application No. 60/414,323 fails to teach or disclose a layer or material of the antennas. Thus, the filing date of U.S. Provisional Application No. 60/414,323 cannot be relied upon.

In view of the above discussion, Applicant respectfully submits that the present application predates Empedocles, and Empedocles cannot be relied upon as prior art. Gauther and/or Jacobsen, in any combination, fail to teach, disclose or suggest, the subject matter of independent claims 1 and 16 of the presently claimed invention. Specifically, the applied references, in any combination, do not teach, or suggest at least the formation of an antenna and a conductive layer in the same layer and from the same material.

Further, claims 4-6, 11, 12, 17-19 and 27-31, which variously depend from claim 1, are neither taught, nor would they have been suggested, by the applied references at least based on their dependence on an allowable base claim, as well as for additional features they recite.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 4-6, 11, 12, 16-19 and 27-31 are respectfully requested.

The Office Action rejects claims 9, 10, 13-15, 20-22 and 24-26 under 35 U.S.C. §103(a) over Empedocles in view of Gauther and further in view of Jacobsen.

As discussed above, Empedocles does not qualify as prior art to claims 1 and 16. As acknowledged by the Office Action, neither Jacobsen nor Gauther anticipate or render obvious the features of claim 1. As such, the suggested combination cannot reasonably be considered to have suggested the combinations of features recited in claims 9, 10, 13-15, 20-

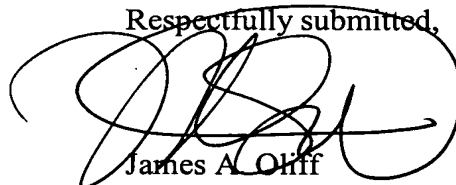
22, and 24-26 for at least the respective dependence of these claims on an allowable base claim, as well as the separately patentable subject matter that each of these claims recite.

Accordingly, reconsideration and withdrawal of the rejection of claims 9, 10, 13-15, 20-22 and 24-26 are respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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JAO:LMS/dqs

Attachment:

Certified English Translation of JP 2003-069892

Date: June 15, 2007

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